

**Caption in Compliance with D.N.J. LBR 9004-2(c)**

RHONDI LYNN SCHWARTZ, ESQUIRE,  
RS/1029  
SHAPIRO & DENARDO, LLC  
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CXE 14-001665  
ATTORNEYS FOR U.S. BANK, NATIONAL  
ASSOCIATION, AS TRUSTEE FOR THE  
CERTIFICATEHOLDERS OF BANC OF AMERICA  
FUNDING CORPORATION 2009-FT1 TRUST,  
MORTGAGE PASS-THROUGH CERTIFICATES,  
SERIES 2009-FT1

IN RE:

DENNIS V. POPESON AND JOANNE A. POPESON,  
DEBTORS



CASE NO.: 11-28878/ABA

JUDGE: HONORABLE ANDREW B.  
ALTBURG, JR.

**ORDER REINSTATING AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby ORDERED.

DATED: 6/4/2014

  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

This matter having come before the Court upon Application of Shapiro & DeNardo, LLC, Attorneys for U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF BANC OF AMERICA FUNDING CORPORATION 2009-FT1 TRUST, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2009-FT1 requesting an Order Reinstating the Automatic Stay, and for good cause shown,

1. The Automatic Stay with regard to U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF BANC OF AMERICA FUNDING CORPORATION 2009-FT1 TRUST, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2009-FT1, vacated by Court Order dated April 29, 2014 is hereby reinstated.
2. Pursuant to the Certification of Mortgagee, filed in support of the Notice of Motion to Vacate Stay, Debtors were delinquent in post petition payments for the months of June 1, 2013 through February 1, 2014 in the total amount of \$13,238.88. Debtors allege that they remitted directly to Secured Creditor their March, 2014 and April 2014 payments in due course.
3. Debtor shall remit a lump sum payment of \$2,000.00 to reduce said arrears to \$11,238.88. In order to cure the balance of the arrears Debtors will remit a double mortgage payment monthly beginning in May 2014 until the arrears have been paid in full. Based upon the total amount due the account should be brought fully current in December 2014.
4. Debtors shall reimburse Secured Creditor \$350.00 in attorney fees and \$176.00 in costs through their Chapter 13 Plan of Reorganization. The Trustee shall amend her records to reflect same.
5. If the Debtors should default and fail to make the payments stated herein or any future payment outside of said plan to U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF BANC OF AMERICA FUNDING CORPORATION 2009-FT1 TRUST, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2009-FT1, for more than thirty (30) days from the due date, then, upon Certification of Non-receipt of said payment in accordance herewith, submitted by the Secured Creditor's Attorney, the Court will enter an Ex-Parte Order Vacating the Automatic Stay of the Bankruptcy Code with respect to the Secured Creditor's lien. The Order submitted will not require the consent of the Debtors regarding form or substance, however Debtors' Attorney and the Trustee shall be given seven (7) days' notice of any filing of a Certification of Non-Receipt.